

quinn emanuel trial lawyers | new york

51 Madison Avenue, 22nd Floor, New York, NY 10017

VIA ECF

Honorable Sarah L. Cave
United States Magistrate Judge

United States District Court for The Southern District of New York

500 Pearl Street, Room 1670

New York, New York 10007-1312

Defendant Ambac Assurance Corporation's letter-motion seeking to file its pre-conference letter, and its corresponding exhibits, under seal (ECF No. 516) is GRANTED, and the documents at ECF No. 518, 518-1 – 518-4 shall remain visible only to the selected parties.

The Clerk of Court is respectfully directed to close ECF No. 516.

SO ORDERED 11/10/22


SARAH L. CAVE
United States Magistrate Judge

Re: *Monterey Bay Military Housing LLC, et al. v. Ambac Assurance Corporation, et al.*,
No. 19-cv-09193 (PGG) (SLC)

Dear Judge Cave:

Pursuant to Federal Rule of Civil Procedure 5.2(d), Rule I(G)(2) of Your Honor's Individual Practices, this Court's Standing Order No. 19-mc-583, and this Court's ECF Rules & Instructions, Defendant Ambac Assurance Corporation respectfully requests leave to file under seal its pre-conference letter setting forth outstanding discovery disputes between the parties and accompanying exhibits. The pre-conference letter and supporting exhibits were filed contemporaneously with this Letter Motion available to "Selected Parties" in accordance with ECF Rules 6.7 and 6.9.

The pre-conference letter cites and directly quotes Exhibit B thereto, which has been designated as "Confidential" by Plaintiffs pursuant to the Stipulated Protective Order in this case (Dkts. 135, 375, 425). Further, while Ambac does not believe that Exhibits A, C, and D contain confidential information, each discusses or characterizes the contents of Plaintiffs' document productions, which include a large number of documents designated by Plaintiffs as "Confidential" pursuant to the Protective Order. Under Paragraph 12.4 of the Protective Order, "[w]ithout written permission from the Designating Party or a court order secured after appropriate notice to all interested persons, a Party may not file in the public record . . . any Protected Material." See Dkt. 135 ¶ 12.4.

Ambac will work with Plaintiffs to obtain the required permission to file redacted versions of these documents to the extent necessary.

The Court's consideration of this request is greatly appreciated.

Respectfully Submitted,

/s/ Daniel M. Kelly

Daniel M. Kelly

quinn emanuel urquhart & sullivan, llp

ATLANTA| AUSTIN| BERLIN| BOSTON| BRUSSELS| CHICAGO| DOHA| HAMBURG| HONGKONG| HOUSTON| LONDON| LOS ANGELES|
MANNHEIM| MIAMI| MUNICH| NEUILLY-LADEFENSE| NEW YORK| PARIS| PERTH| RIYADH| SALT LAKE CITY| SAN FRANCISCO| SEATTLE|
SHANGHAI| SILICON VALLEY| STUTTGART| SYDNEY| TOKYO| WASHINGTON, DC| ZURICH